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Letter dated 25 June 2004 from the Secretary-General to the President of the Security Council

I write with reference to the letter dated 14 June 2004 from the Minister for Foreign Affairs and Immigration of Papua New Guinea, The Rt Hon. Sir Rabbie Namaliu, addressed to me regarding the peace process in Bougainville and the request contained therein for the extension of the mandate of the United Nations Observer Mission in Bougainville (UNOMB) (see annex).

Since the Security Council's last meeting on 6 May 2004, UNOMB has reported further progress by the parties in the implementation of the Bougainville Peace Agreement. As of 21 June 2004, the ex-combatants have destroyed 1,651 or 85 per cent of the contained weapons. Six of Bougainville's ten districts have now completed the weapons disposal programme. UNOMB continues to receive requests to supervise weapons containment in the so-called "No-Go-Zone".

At the end of July 2004, 50 new police recruits are due to graduate and join the Bougainville Police Force, which has now been issued a distinct uniform. The expected deployment in Bougainville of 19 Australian federal police officers will further contribute to strengthening policing on the island.

The Bougainville Constitution Commission is close to finalizing the third and final draft of the constitution. The Commission has indicated its determination to complete its assignment by the end of June 2004. It is expected that the constitution would be adopted by the Bougainville Constituent Assembly in mid-July and soon thereafter be approved by the Government of Papua New Guinea. This, in turn, will set in motion preparations for the election of the first autonomous Bougainville government. The Government of Papua New Guinea has expressed its firm commitment to mobilize the required resources for the completion of the electoral process. It is the intention of the parties to hold elections by the end of 2004.

Starting in September 2004, the United Nations Development Programme, in close consultations with UNOMB, will, in its rehabilitation activities on the island, focus on good governance and sustainable livelihood. Meanwhile, the United Nations Children's Fund (UNICEF) has provided educational materials to 600 primary school students in various villages of Bougainville, including the "No-Go-Zone". UNOMB has facilitated UNICEF activities through the provision of office space and logistical support to its locally hired programme manager.

Given the above progress and the crucial role of UNOMB in building confidence among the parties, as well as the need for it to complete the remaining

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mandated tasks as reflected in the attached letter of the Foreign Minister, I recommend the extension of the UNOMB mandate for a further six-month period, from 1 July to 31 December 2004.

(*Signed*) Kofi A. **Annan**

Annex

Letter dated 14 June 2004 from the Minister for Foreign Affairs and Immigration of Papua New Guinea addressed to the Secretary-General

United Nations Observer Mission in Bougainville, Papua New Guinea (UNOMB)

I have the honour to convey Papua New Guinea's sincere appreciation, on behalf of all parties, for the United Nations' continuing support for the peace process in Bougainville, Papua New Guinea. We are grateful for the United Nations Security Council's agreement and the arrangements Your Excellency has made for UNOMB to remain and assist the peace process on the ground.

As your Excellency will be aware, implementation of the *Bougainville Peace Agreement* continues to move ahead.

Conscious that there are still important steps to be completed and possible challenges to be overcome, Papua New Guinea, therefore, requests Your Excellency's and the United Nations Security Council's agreement for UNOMB to remain and continue performing the functions specified in Your Excellency's letter of 19 December 2003 to the President of the United Nations Security Council.

The responsibilities which go with these functions will be fulfilled when the autonomous Bougainville Government is elected. The election of the autonomous Bougainville Government, therefore, provides both a clear objective and a natural exit-date for UNOMB.

The following summary of the current situation and identifiable future challenges Bougainville is arranged in terms of the functions specified in Your Excellency's letter 19 December 2003:

(a) Peace Process Consultative Committee (PPCC)

UNOMB continues to chair the PPCC, which is the main agreed means of regul communication and consultation between all parties to the *Bougainville Pea Agreement*, especially those involving the main former combatant groups. It will rema so until the autonomous Bougainville Government has been elected.

Under the agreed weapons disposal plan contained in the Bougainville Peace Agreeme the PPCC will receive UNOMB's report on its findings if any of the parties requ UNOMB to 'verify and certify whether there has been substantial compliance ... in t handing in of weapons and whether the level of security of the weapons makes conducive to holding the elections.'

(b) Disposal and destruction of weapons

UNOMB continues to play a critical role in implementation of the agreed weapo disposal plan, including public awareness, the storage of weapons at stage two, a destruction of the guns.

The current total of weapons destroyed is well over 80% of those contained.

Additional weapons are being brought in; weapons previously removed from contain in 2003 are being returned to be placed in secure storage, and destroyed; and forn combatants in the remaining 'No-Go Zone' are joining in.

Destruction has now been completed in five of the ten Districts of Bougainville and Bo Islands. Further destructions are planned.

UNOMB is also working with factional leaders to encourage former combatants in ot Districts to proceed to destruction at the earliest practicable opportunity, and to overco the reluctance of some former combatants in South Bougainville to destroy their guns.

© Preparation of the proposed constitution for the autonom Bougainville Government

Though UNOMB has no responsibilities in relation to preparation of the propo Bougainville constitution, it continues to encourage the parties to make progress, and proper attention to such vital issues as the financial and human resources likely to available for implementation.

Consultations, including meetings and exchanges of ideas over the Second Draft of proposed constitution being prepared by the Bougainville Constitutional Commis

(BCC) have now been completed. The BCC is now preparing its Third and Final Draft, and its report. These will be passed on to the Bougainville Constituent Assembly to consider, adopt after consulting the National Government; and then submit to the National Executive Council for endorsement as consistent with the *Papua New Guinea Constitution* (as amended by *Constitutional Amendment No. 23 - Bougainville Government and Referendum*, which gives legal effect to the *Bougainville Peace Agreement*).

Arrangements are in place for convening the Bougainville Constituent Assembly as soon as the BCC completes its work.

The time allowed for the National Executive Council to review the draft submitted by the Bougainville Constituent Assembly for endorsement as consistent with the *Papua New Guinea Constitution* is strictly defined (*Constitution*, s 285).

If the BCC and the Bougainville Constituent Assembly take proper account of the National Government's concerns regarding the consistency with the National *Constitution* of a small number of provisions proposed for the Bougainville constitution, then it will be possible for the process of finalizing and giving effect to the Bougainville constitution to move ahead with all deliberate speed.

As soon as the provisions governing eligibility for enrolling to vote and standing for office, the composition of the proposed Bougainville legislature and executive, and the number of electorates are known, then preparations for holding elections for the autonomous Bougainville Government will move into high gear. This provision, which is probably unique in the world, gives UNOMB responsibility for responding to a request by any of the parties and determining whether conditions with regard to implementation of the agreed weapons disposal plan are 'conducive to holding elections', or whether the elections for the autonomous Bougainville Government should be deferred – and, if so, for how long

In this regard, Papua New Guinea notes the statement that the Director of UNOMB, Tor Stenbock, has made to former combatants that, unless all contained guns are destroyed, UNOMB would have 'great difficulty in giving the green light for holding elections' should the question be referred to UNOMB as provided in the *Bougainville Peace Agreement*.

The intention of all parties is that the elections be held before the end of 2004.

The Government is aware of the need to mobilize the human and financial resources required to prepare for and conduct the elections.

At a time when restraint is required in every area of Government activity, the National Government continues to regard the Bougainville peace process as a national priority, and is firmly committed to using its best endeavours both to mobilize the resources

required, and to encourage the other parties to co-operate in working to meet this ambitious target.

(e) Other offices

UNOMB continues to assist in promoting public awareness of the agreed weapons disposal plan and other aspects of the peace process in Bougainville, Papua New Guinea, and encouraging and supporting consultations and co-operation between the parties.

Meanwhile, other aspects of practical peace-building continue to move ahead too. These include policing and restoration of other aspects of civil authority (courts and corrections), (re-)development of infrastructure, and other projects directed towards providing improved opportunities for people in Bougainville.

A number of United Nations specialised agencies, including the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF), together with other aid donors and non-government organizations, continue to provide important, assistance for which Papua New Guinea, on behalf of all parties, is very grateful. This includes United Nations-sponsored assistance in the remaining 'No-Go Zone'.

Thus does the peace process in Bougainville, Papua New Guinea, continue to move ahead. While there are still challenges to be faced and overcome, and the peace process has not always advanced as far and as fast as might have been hoped, progress has been solid (there have been no irreversible steps back). The key has been the 'bottom-up', participatory approach on which weapons disposal and work on the proposed Bougainville constitution have proceeded. The support provided by UNOMB is critical to continued success.

It is, against this background, that I have the honour to request Your Excellency and the United Nations Security Council to agree that UNOMB continue after 30 June until it completes its agreed assignment when the autonomous Bougainville Government is elected.

(*Signed*) Rt Hon. Rabbie L. Namaliu, KCMG MP
Minister